

Application No.: 09/936,169

Docket No.: 21547-00280-US

**REMARKS**

Claims 1-17 remain pending in this application. Claims 1, 6, 7, and 14-17 are independent. Claims 1 and 7 have been amended only for clarity, and specifically not to overcome any art of record. Claims 6 and 14-17 have been amended into independent form in reliance upon the indication of allowable subject matter.

**Unpatentability Rejection over Beaty et al. and Wagner et al.**

Withdrawal of the rejection of claims 1-5 and 7-13 under 35 U.S.C. §103(a) as being unpatentable over Beaty et al. (US 5,727,943) in view of Wagner et al. (US 5,897,319) is requested. The applied art, either alone or in combination, does not teach or suggest all the claimed limitations.

In particular, the applied art, either alone or in combination, does not teach or suggest a self-tapping implant for use in a bone, preferably a jawbone, which includes, among other features, "a body with *plural thread spirals* arranged thereon...", as recited in independent claim 1, as amended.

Further, the applied art, either alone or in combination, does not teach or suggest a self-tapping implant for use in a bone, preferably a jawbone, which includes, among other features, "a body with plural thread spirals arranged thereon...", as recited in independent claim 7, as amended.

Neither Beaty et al. or Wagner et al. teach or suggest multiple thread spirals, i.e., independent thread spirals interspersed between each other as disclosed at least in Applicants' disclosure at p. 8, lines 3-4. The applied art only disclose a single thread spiral.

Further, in applicants' disclosure, the cutting angle  $\alpha$  between the radius  $r$  and edge 1a in FIG. 2, for example, and the relief angle  $\gamma$  between the real line 3ed of member 3 and circular part 3c are cooperatively and interactively selected to meet the functional requirements of the improved implant. The special cutting geometry, as discussed at least at p. 3, lines 16-22 of

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Applicant's disclosure, provides a relief function accomplished by the relief angle  $\gamma$ , the resistance to implant insertion is reduced, and the strength of the implant is increased.

This aspect of the invention is claimed, at least in part, as "...wherein a cutting angle formed by the pointed shape is selected to be within a range of between 15-40°...", as recited in independent claim 1. This aspect of the invention is claimed, at least in part, as "...wherein each cutting edge of a number of the materially reduced threads has a pointed shape which, in a cross section thereof, essentially follows a line which deviates from a first radius through a remaining thread part front portion...", as recited in independent claim 7.

As the applied art does not teach or suggest all the claimed limitations of independent claims 1 and 7, reconsideration and allowance of these claims are respectfully requested. In addition, as dependent claim 2-5 and 8-13 variously and ultimately depend from allowable claim 1, reconsideration and allowance of these dependent claims are also requested.

#### **Allowable Subject Matter**

Applicants note with appreciation that dependent claims 6 and 14-17 are drawn to allowable subject matter. In reliance upon the indication of allowable subject matter, these claims have been rewritten in independent form.

In view of the above, each of the presently pending claims 1-17 in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

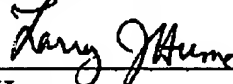
In the event that the Examiner believes that an interview would serve to resolve any remaining issues in this application, the undersigned attorney is available at the telephone number indicated below.

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For any fees that are due with this response, including fees for excess claims, please charge CBLH Deposit Account No. 22-0185, under Order No. 21547-00280-US from which the undersigned is authorized to draw.

Respectfully submitted,

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